

6RU 2162 #17 BT 59-03

APR 28 2003
PTO & TRADEMARK OFFICE

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
97-564-C1

In Re Application Of **VAN LUCHENE**

Serial No. 09/777,297	Filing Date February 6, 2001	Examiner Not Yet Assigned	Group Art Unit 2162
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Title: **METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE PROVIDED AT A POINT-OF-SALE TERMINAL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

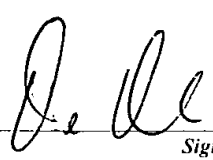
Transmitted herewith is:

Supplemental Information Disclosure Statement (6 pp.);
PTO Form-1449 (2 pp.) and references cited therein (19); and
Return Receipt Postcard.

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in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **50-0271** as described below. A duplicate copy of this sheet is enclosed.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.



Signature

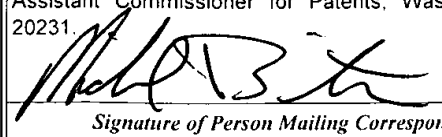
Dated: April 24, 2003

Dean P. Alderucci
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I certify that this document and fee is being deposited on April 24, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

- ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
- ☒ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.
5. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).
- ☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).
11. ☒ In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

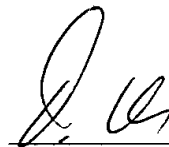
<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
09/045,386	Walker et al.	03/20/98	2786	
09/045,036	Walker et al.	03/20/98	3642	
09/045,518	Van Luchene	03/20/98	3642	
09/107,971	Van Luchene	06/30/98	3642	

The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. These applications have not been listed on the accompanying Form PTO-1449 in order to preserve their secrecy during the course of their prosecution.

12. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.
13. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

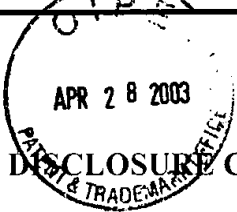
Respectfully submitted,

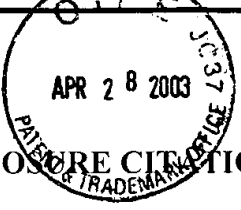
April 24, 2003
Date



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 INFORMATION DISCLOSURE CITATION				Docket Number 97-564-C1		Serial Number 09/777,297	
				Applicants VAN LUCHENE			
				Filing Date February 6, 2001		Group Art Unit 2162	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation Yes No
	A	EP 0 085 546 A2	08/10/83	Europe	RECEIVED APR 30 2003 GROUP 3600		
	B	EP 0 109 189 A1	05/23/84	Europe			
	C	WO 96/36926	11/21/96	PCT			
	D	WO 97/28510	08/07/97	PCT			
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)							
	E	Brochure, "Reaching Out In New Directions", First Data Corp. Merchant Services, undated.					
	F	Silverman, Gene, "Planning and using infomercial campaigns effectively.", Direct Marketing, September 1995, Vol. 58, No. 5, pp. 32(3), ISSN: 0012-3188.					
	G	McKinney, Jeff, "Merchant program could pay off for Provident", The Cincinnati Enquirer, March 24, 1996, Section: Financial, pg. E02.					
	H	Raab, David M., "Package Aids Catalog Management", DM News, April 22, 1996, Section: Software Review, pg. 14.					
	I	"Bigger Plans (Provident Bank, issuer of MeritValue customer loyalty card, plans to offer program in 25 cities in six months)", Card Fax, October 7, 1996, Vol. 96, No. 178, pg. 2.					
	J	Fickenscher, Lisa, "Amex to Start Free Rewards Program with Discounts on Merchandise", The American Banker, October 18, 1996, Section: Credit/Debit/ATMs, pg. 10.					
EXAMINER				DATE CONSIDERED:			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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		Applicants VAN LUCHENE	
		Filing Date February 6, 2001	Group Art Unit 2162
OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)			
K	Fitzgerald, Kate, "Amex program moves loyalty to next level: Custom extras finds a medium customers can't ignore: Billing Statements", Advertising Age, November 4, 1996, Section: News, pg. 2.		
L	Quittner, Jeremy, "Ohio's Provident brings its discount card to Fla.", American Banker, February 11, 1997, Vol. 162, Issue 28, pg. 11, 1/3p, ISSN: 0002-7561.		
M	Symons, Allene, "Lucky, Sav-on Debut Rewards Card.", Drug Store News, February 17, 1997, Vol. 19, Issue 4, pg. 3, 2p, 1c, ISSN: 0191-7587.		
N	Mckeveny, Alexander, "Giving them a good reason.", Bank Marketing, March 1997, Vol. 29, Issue 3, pg. 37, 4p, 4c, ISSN: 0888-3149.		
O	Fickenscher, Lisa, "Merchant: American Express Seeks to Mine Its Data on Cardholder Spending Patterns", The American Banker, March 24, 1997, Section: Credit/Debit/ATMs, pg. 20.		
P	"Dispensing the future", Electronic Payments International, May 1997, Section: Feature, pg. 12.		
Q	"Industry Briefs", Card News, June 9, 1997, Section: Vol. 12, No. 11.		
R	Hoeschen, Brad, "Brookfield Square hopes mall card strikes a chord", Business Journal-Milwaukee, September 12, 1997, Vol. 14, No. 50, pg. 19.		
S	Website: "NCR 7452 Workstation -- Beyond Traditional POS", (http://www.ncr.com/product/retail/products/catalog/7452.shtm), download date: September 23, 1997.		
EXAMINER		DATE CONSIDERED:	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

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